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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/476,461 | 12/30/1999 | JOHN LAWRENCE SNAPP | AWS455 | 7881 |
| 7590 | 03/29/2004 | | EXAMINER | |
| TERRANCE A. MEADOR INCAPLAW 1050 ROSECRANS STREET STREET, SUITE K SAN DIEGO, CA 92106 | | | LY, NGHI H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2686 | 19 |
| DATE MAILED: 03/29/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-------------------------------|-------------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/476,461 | SNAPP, JOHN LAWRENCE |
| | Examiner Nghi H. Ly | Art Unit 2686 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 December 2003.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-21 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Arguments

1. In view of the appeal brief filed on 12/29/2003, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bharatia (US 6,138,007).

Regarding claims 1 and 8, Bharatia teaches a method for use in a mobility gateway for forwarding a call directed to a roaming subscriber unit (see fig.3), the method comprising: storing, at the mobility gateway, a plurality of temporary transfer-to telephone numbers (see column 4, lines 23-47 and column 4, lines 63-65, the teaching of Bharatia not only for a single roaming subscriber unit. Therefore, the teaching of Bharatia inherently teaches storing a plurality of temporary transfer-to telephone numbers), and selecting, for association with the roaming subscriber unit (also see column 4, lines 23-47), one of the temporary transfer-to telephone numbers (see column 4, lines 23-47, see "roaming number").

Regarding claim 2, Bharatia further teaches the temporary transfer-to telephone number is homed on a mobile switching center that is different from a mobile switching center serving the roaming subscriber unit (see column 4, lines 45-48).

Regarding claim 3, Bharatia further teaches sending a message having the temporary transfer-to telephone number to a mobile switching center serving the roaming subscriber unit (see column 4, lines 38-39).

Regarding claims 4 and 11, Bharatia further teaches after selecting and sending, receiving and storing information related to a call request for the roaming subscriber unit; and after receiving and storing, receiving a location request message from a mobile switching center which homes the temporary transfer-to telephone number (see column 1, lines 26-45).

Regarding claims 5 and 12, Bharatia further teaches associating the location request message with the call request for the roaming subscriber unit (see column 4, lines 23-47).

Regarding claims 6 and 13, Bharatia further teaches associating the location request message with the call request for the roaming subscriber unit based at least in part on the temporary transfer-to telephone number (see column 4, lines 23-47).

Regarding claims 7 and 14, Bharatia further teaches after associating, sending a redirection request message to a gateway mobile switching center which received the call request (see column 4, lines 37-39).

Regarding claim 9, Bharatia further teaches the selected temporary transfer-to telephone number associated with the roaming subscriber unit is homed on an ANSI-41 MSC different from a GSM MSC serving the roaming subscriber unit (see fig.1).

Regarding claim 10, Bharatia further teaches sending a message having the temporary transfer-to telephone number to a GSM MSC serving the roaming subscriber unit (see column 4, lines 45-48).

Regarding claims 15 and 19, Bharatia teaches a method for use in forwarding a call intended for a subscriber unit (see column 4, lines 23-47), comprising: receiving and storing information related to a call request for a roaming subscriber unit (see column 4, lines 63-65), after receiving and storing, receiving a location request message from a mobile switching center which homes a temporary transfer-to telephone number associated with the roaming subscriber unit (see column 4, lines 23-47), associating the location request message with the call request for the roaming subscriber unit (also see

column 4, lines 23-47), and after associating, sending a redirection request message to a gateway mobile switching center which received the call request for the roaming subscriber unit (see column 4, lines 37-39).

Regarding claims 16, Bharatia further teaches the method comprising, prior to receiving and storing (see column 4, lines 63-65) the information related to the call request: selecting the temporary transfer-to telephone number for association with a roaming subscriber unit (see column 4, lines 23-47), and sending a message having the temporary transfer-to telephone number to a mobile switching center serving the roaming subscriber unit (see column 4, lines 37-39).

Regarding claims 17 and 20, Bharatia further teaches the receiving and storing of information related to the call request includes receiving and storing information comprising subscriber identification information and call identification information (see column 4, lines 37-39), and wherein sending the redirection request message includes sending the call identification information (see column 4, lines 23-47).

Regarding claims 18, Bharatia further teaches receiving the location request message comprises receiving the temporary transfer-to telephone number (see column 4, lines 23-47), and wherein associating the location request message with the call request comprises associating based on the temporary transfer-to telephone number (also see column 4, lines 23-47).

Regarding claims 21, Bharatia further teaches the mobile switching center serving the roaming subscriber unit comprises a GSM mobile switching center and the

gateway mobile switching center comprises an ANSI gateway mobile switching center (see fig.1).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (703) 605-5164. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly


03/20/04

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